

EXHIBIT 3

Page 298

1 Gotthelf - CONFIDENTIAL
2 inherited.

3 Q. But there have been openings for
4 editors on the metro desk, have there not?

5 A. Yes, and I've put applications
6 and I've hired highly qualified people for
7 my desk.

8 Q. And have you ever tried to hire
9 an African-American for one of those
10 positions?

11 MR. LERNER: Objection.

12 A. I don't base anything on race. I
13 look for the best candidate.

14 Q. So that's a no?

15 MR. LERNER: Objection.

16 A. Sorry, restate the question.

17 Q. Have you ever tried to hire an
18 African-American for one of the vacant
19 editorial positions?

20 MR. LERNER: Objection. What
21 is tried to hire?

22 A. I don't understand that. I'm
23 sorry, if you could explain.

24 Q. Have you ever put forward any
25 African-American candidates for the

Page 299

1 Gotthelf - CONFIDENTIAL

2 positions that have opened up on the
3 editorial or the -- on the editorial staff?

4 MR. LERNER: Objection.

5 A. I have tried out an
6 African-American on my city desk.

7 Q. Who was that?

8 A. Leonard Green.

9 Q. When was this?

10 A. Right before I made my -- I was
11 going to say my most recent hire, but give
12 me a second, I can -- when I had an
13 opening.

14 Q. And why wasn't he hired
15 full-time?

16 A. Mr. Green didn't want the job and
17 wanted to continue writing.

18 Q. Mr. Green turned it down?

19 A. Mr. Green tried out on the desk
20 for several days and when I asked him if he
21 liked it, he said he wanted to continue
22 writing.

23 Q. Are you familiar with the travel
24 patterns of your various employees?

25 MR. LERNER: Objection.

Page 300

1 Gotthelf - CONFIDENTIAL

2 A. I don't understand familiar with
3 travel patterns.

4 Q. Well, you dispatch your reporters
5 to stories, correct?

6 A. Me and my associate metro
7 editors.

8 Q. So if someone goes out of town on
9 a story, would you know about that, right?

10 MR. LERNER: Objection.

11 A. Oftentimes.

12 Q. Can you name any reporter who was
13 dispatched on out of town stories more
14 frequently than Austin Fenner during the
15 two years that he was employed there?

16 A. Yes.

17 Q. Who are they?

18 A. Lorena Mangeli and Rebecca
19 Rosenberg.

20 Q. And how often were Lorena and
21 Rebecca sent out of town?

22 A. I don't know.

23 Q. So how do you know that they were
24 sent out of town more often than Austin?

25 A. Because I looked at my travel

Page 301

1 Gotthelf - CONFIDENTIAL

2 assignments to determine who was sent out
3 the most and Mr. Fenner during his time
4 period was not.

5 Q. You looked at travel assignments,
6 you have a record of all the assignments
7 that people were sent out of town?

8 A. Yes. We paid for these
9 assignments.

10 Q. Okay. Do you know if that --
11 those documents have been produced in this
12 case?

13 MR. LERNER: Objection.

14 A. I don't know.

15 (Gotthelf Exhibit 20, NYP-FL
16 797-798, marked for identification.)

17 Q. I'd like to give you a document
18 marked Gotthelf 20. Take a look at that,
19 please. This is an e-mail from you on
20 November 9, 2009, is that correct?

21 A. Yes.

22 Q. And for the record, this is Bates
23 stamped NYP-FL 797. Could you read what it
24 says there on the text?

25 A. Yes. Make sure you have